

FEDERAL COMMUNICATIONS COMMISSION
445 TWELFTH STREET SW
WASHINGTON DC 20554

MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS: (202) 418-2730
HOME PAGE: www.fcc.gov/mb/audio/

ENGINEER: CHARLES N. (NORM) MILLER
TELEPHONE: (202) 418-2767
FACSIMILE: (202) 418-1410
E-MAIL: charles.miller@fcc.gov

January 25, 2011

John Crigler, Esq.
Garvey Schubert Barer
1000 Potomac Street NW, Fifth Floor
Washington, DC 20007

Re: Community Wireless of Park City, Inc.
K220AY(FX), Heber City, Etc., Utah
Facility Identification Number: 13480
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed January 14, 2011, on behalf of Community Wireless of Park City, Inc. ("CWPC"). CWPC requests special temporary authority ("STA") to operate FM Translator K220AY with temporary facilities.¹ In support of the request, CWPC states that the translator is located at a remote, mountain site with unreliable power and unreliable over-the-air feed, and that the translator currently is off the air. CWPC states that these problems are difficult to remedy, particularly in the winter, because of the remote location of the site. CWPC requests STA for operation with temporary facilities in order to restore service to the community.

STA requests which involve a change in transmitter site must include four critical elements: (1) Loss of the licensed site must be beyond the licensee's control; (2) STA facilities must continue to provide service² to the licensed community; (3) STA facilities must maintain, as closely as practicable, the licensed service area³ without extending it; (4) STA facilities cannot involve the construction of towers intended for permanent use by the station requesting the STA. Our review indicates that the proposed STA operation complies with the foregoing criteria.

Accordingly, the request for STA IS HEREBY GRANTED. Station K220AY may operate with the following facilities:

Geographic coordinates:	40° 30' 24" N, 111° 25' 0" W (NAD 1927)
Channel	220 (91.9 MHz)
Effective radiated power:	0.25 kilowatt (Max-DA, V only)
Antenna manufacturer and type:	Scala, model FMV, directional
Antenna orientation:	0° True

¹ K220AY is licensed for operation on Channel 220D (91.9 MHz) with effective radiated power of 0.042 kilowatt (H only) and antenna height above average terrain of 261 meters.

² For AM - 5 mV/m; for commercial FM - 3.16 mV/m; for noncommercial educational FM - 1.0 mV/m.

³ For AM - 0.5 mV/m contour; for FM - 1.0 mV/m contour.

Antenna height:

above ground:	6 meters
above mean sea level:	1712 meters
above average terrain:	-330 meters

CWPC must notify the Commission when licensed operation is restored. CWPC must use whatever means are necessary to protect workers and the public from exposure to radio frequency radiation in excess of the Commission's exposure guidelines. *See* 47 CFR § 1.1310.

This authority expires on **July 25, 2011**.

STA Advisory: Section 309(f) of the Communications Act of 1934, as amended, authorizes the Commission to grant STA in cases of "extraordinary circumstances requiring temporary authorizations in the public interest and when delay in the institution of the temporary operations would seriously prejudice the public interest." However, Section 309(f) is not a means by which a licensee/permittee may circumvent established processing procedures which require the filing of an application, nor is it a means by which a broadcaster may enhance his facility or make operation more convenient for the broadcaster. Stations operating with less than licensed facilities under temporary authorities can be viewed as receiving the benefit of a larger protection area than that in which they are currently providing service.

Accordingly, Special Temporary Authorities by nature are to be temporary and are not intended for extended use. Licensees of stations operating under temporary authorities are reminded that timely restoration of permanent facilities is the responsibility of the licensee and should be undertaken expeditiously. Any request for extension of special temporary authorities carries an increased burden with each subsequent request.

Therefore, requests for extension of STA will be granted only where the licensee can show that one or more of the following criteria have been met:

- Restoration of licensed facilities is complete and testing is underway;
- Substantial progress has been made during the most recent STA period toward restoration of licensed operation; or
- No progress has been made during the most recent STA period for reasons clearly beyond the licensee's control, and the licensee has taken all possible steps to expeditiously resolve the problem.

Sincerely,



Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Community Wireless of Park City, Inc.